

SUPREME COURT OF SOUTH CAROLINA

In re Administrative Suspensions

404 S.C. 307 (2013) · Decided May 22, 2013

SUMMARY

The South Carolina Supreme Court ordered the suspension of lawyers who failed to comply with continuing legal education reporting or payment requirements for the 2012–2013 reporting year. The order directs the suspended lawyers to surrender their certificates, establishes reinstatement requirements, and warns that continued practice may constitute unauthorized practice of law and lead to disciplinary or contempt proceedings.

CASE DETAILS

COURT	Supreme Court of South Carolina
WRITING FOR THE COURT	Per Curiam; Jean H. Toal, Chief Justice; Costa M. Pleicones, Justice; Donald W. Beatty, Justice; John W. Kittredge, Justice; Kaye G. Hearn, Justice
JURISDICTION	South Carolina
DECIDED	May 22, 2013
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of South Carolina issued an administrative order suspending lawyers who failed to comply with continuing legal education reporting or payment requirements.
PRECEDENTIAL VALUE	Published administrative order

TOPICS

[administrative law](#)

PRACTICE AREAS

[legal ethics and professional responsibility](#)

[attorney discipline](#)

[continuing legal education compliance](#)

QUESTIONS PRESENTED

1. Whether lawyers who failed to comply with the continuing legal education reporting and payment requirements for the 2012–2013 reporting year should be suspended from the practice of law under Rule 419(d)(2), SCACR.

2. What surrender and reinstatement requirements apply to the suspended lawyers.

HOLDINGS

1. Lawyers identified by the South Carolina Commission on Continuing Legal Education and Specialization as noncompliant with the applicable continuing legal education reporting or payment requirements are suspended from the practice of law pursuant to Rule 419(d)(2), SCACR.
2. Suspended lawyers must surrender their certificates to practice law to the Clerk of the Supreme Court by June 21, 2013, and must seek reinstatement in the manner specified by Rule 419(e), SCACR; lawyers who have not verified their information in the Attorney Information System must do so before seeking reinstatement.

KEY QUOTATIONS

“Pursuant to Rule 419(d)(2), SCACR, these lawyers are hereby suspended from the practice of law.” (404 S.C. at 307)

“These lawyers are warned that any continuation of the practice of law in this State after being suspended by this order is the unauthorized practice of law, and will subject them to disciplinary action under Rule 413, SCACR, and could result in a finding of criminal or civil contempt by this Court.” (404 S.C. at 307)

FACTUAL BACKGROUND

The South Carolina Commission on Continuing Legal Education and Specialization identified lawyers who failed to file compliance reports, pay filing fees or penalties, or otherwise satisfy continuing legal education requirements for the reporting year ending in February 2013. The court's attachment listed the noncompliant lawyers and, for some individuals, noted preexisting interim, fixed-term, or disability-related suspensions.

PROCEDURAL HISTORY

The South Carolina Commission on Continuing Legal Education and Specialization submitted a list of lawyers who had not demonstrated compliance with continuing legal education requirements for the 2012–2013 reporting year or had not paid required fees or penalties. Acting under Rule 419(d)(2), SCACR, the Supreme Court ordered the listed lawyers suspended from the practice of law and specified procedures for surrender and reinstatement.

DISPOSITION

other